

**Nancy L. Kauffman, Ph.D.**

**Arbitrator, Mediator**

**Dispute Resolution Services, LLC**

404 Holly Ridge Lane, Columbia, SC 29229

Telephone: 803/419-8183; FAX: 803/419-8184; e-mail: [nancy.kauffman@naarb.org](mailto:nancy.kauffman@naarb.org)

**ARBITRATOR, MEDIATOR** since 1989. Full-time since 7/99.

**EDUCATION:** Ph.D., University of North Texas, Denton, TX (1989); Personnel and Industrial Relations

**ACADEMIC EXPERIENCE:** Associate Professor, The University of North Carolina, Asheville, 7/88 -6/99; tenured (8/95). Courses: Human Resource Management I and II, Employment and Labor Law, Legal and Ethical Environment of Management, Wage and Compensation, Conflict Resolution.

**PROFESSIONAL EXPERIENCE:**

Sixteen years as a Personnel professional in service industries and public employment, including seven years in equal employment opportunity for a university. Experience includes computer application of human resource management. Also see Arbitration/Mediation appointments, below.

**PROFESSIONAL ASSOCIATIONS (Selected):**

American Bar Association, Dispute Resolution Associate, Labor arbitration subcommittee vice-chair (1996-97)

Association for Conflict Resolution (previously SPIDR) national member

Industrial Relations Research Association (IRRA) national member; South Atlantic Chapter, IRRA, president 1994-96

National Academy of Arbitrators (NAA) member, October 2004 -; History Chair May 2005 -.  
NAA SE Program Chair 2006, 2007

National Association of Railroad Referees (NARR) member

**ARBITRATION/MEDIATION/HEARINGS BOARD APPOINTMENTS:**

American Arbitration Association: (1) Labor Arbitrator Panel; (2) Sexual Harassment Factfinder, national panel; (3) Employment Panel, arbitrator for a 5-state region (NC, SC, TN, AL, GA); (4) Employment Panel, (5) mediator for the same 5-state region; (6) mediator, GSA-EEO.

Asheville Civil Service Board: One of five members who hear grievances from City employees. Decisions may be appealed to Superior Court (1997-99).

Coal Arbitration Service: arbitrator (8/99 - 1/01; 8/03 - 2/05)

Duke University: Exempt and Non-Exempt Termination Panels, permanent arbitrator

Federal Mediation and Conciliation Service: arbitrator

Key Bridge Foundation: ADA mediator

National Mediation Board: arbitrator; attended training for railroad industry 9/02

New York Stock Exchange: arbitrator (employment); mediator (employment)

North Carolina Superior Court Mediated Settlement Conferences; certified mediator

U.S. Postal Service and National Association of Letter Carriers: Eastern Region (1991-1999); Southeast and Southwest Region (1997-2004), Labor Arbitrator

Warner Robins Air Logistics Center and American Federation of Government Employees, Expedited Panel, Labor Arbitrator (2/99-10/01)

## **ARBITRATION TRAINING**

Ph.D. included course work in Labor and Employment Law and Arbitration.

American Bar Association: Arbitration, May 3, 1996.

American Arbitration Association: Employment Arbitration, May 22, 1997; Commercial Arbitration, October 9-11, 1998. Arbitrator II, Employment, Workshop, February 21-22, 2002. Labor Arbitrator II, September 30, 2003. Pro Se Case Management, March 15, 2004. Chairing an Arbitration Panel, September 10, 2005.

Federal Mediation and Conciliation Service: Arbitration, May 12-13, 1997.

South Carolina Bar Association: Faculty member for S.C. Circuit Court Arbitrator Certification Training, August 27, 1999

National Academy of Arbitrators: Attended regional and national winter meetings; early 1990's-present.

National Association of Railroad Referees: September 2002 training and conference; September 2003 conference.

## **ARBITRATION EXPERIENCE**

Over 150 cases since 1989. Issues include civil rights (reverse discrimination, age, sexual harassment), termination, constructive discharge, work rules, breach of contract, pay, benefits, arbitrability, attendance, performance, Family Medical Leave Act, safety, attendance.

## **MEDIATION TRAINING**

North Carolina Superior Court Mediated Settlement Conference Training, 48 contact hours, June, 1995; provided by The Mediation Center, Asheville, NC; certified mediator (1998).

Mediating ADA claims, Key Bridge Foundation and funded by the U.S. Department of Justice, Charlotte, NC, May 4, 1997; Chicago, May 1, 2003.

Mediating Workers Compensation claims, National Business Institute, Raleigh, NC, October 14, 1997.

Workers Compensation, North Carolina Bar Foundation, Asheville, NC, October 23-24, 1998.

## **MEDIATION EXPERIENCE**

American Arbitration Association's mediation: plant maintenance (1998); protection services (1999), civil rights (2001), discharges (2001), discharge (2 cases) (2003)

Department of Justice (through Key Bridge): ADA (2000 to present): disabilities included mobility impaired, profound hearing loss, deteriorating vision, multiple disabilities . (6 cases)

Department of Labor: May 2003 - Complex mediation involving 3 government agencies (federal, state, region within state) and 2 organizations with 6 named plaintiffs representing 20,000 affected workers.

EEOC: (15 in 1999-2000); issues included race, disability, age, retaliation, sexual harassment. Federal Agency (pilot project): work duties; suspension (2002);

Federal Bureau of Prisons: race (2000).

Federal organization: Completed approximately 80 hours of complex, transformative mediation for a federal organization in North Carolina (1997)

U.S. Forest Service: Workplace conflict (2) (2003)

Taught mediation as part of the conflict Resolution course at UNCA (each fall)

Mediated over 60 disputes during the years as a Human Resource professional.

Faculty Conciliator for the 1995-96 (22 cases) and 1998-99 academic years; alternate for 1997-98.

#### **SELECTED PUBLICATIONS:**

Kauffman, "ADR in South Africa," International Journal of Human Resources and Industrial Relations, Fall, 2000.

Kauffman and Massey, Human Capital Applications Using Office 2000, (Software, Student Manual, Instructor's Manual) Prentice Hall, 1999

Kauffman and Davis, "What Type of Mediation Do You Need?" Dispute Resolution Journal, May, 1998: 8-14.

Case synopses, on-line, ABA Dispute Resolution Section, March and May, 1998.

Cited in Elkouri and Elkouri's How Arbitration Works, 6<sup>th</sup> edition, 2004; 5<sup>th</sup> Edition, 1997, pages 189 and 193; and their 1985-87 Supplement, page 34.

Kauffman, Miller, and Ivey, "Affirmative Action and the White Male in America," The Labor Law Journal, November, 1995: 692-698

Kauffman, "The Importance of the Interviewing Process in the Public Sector," The Public Manager, Spring, 1995.

Kauffman, VanIwaarden, and Floyd, "The Effect of Values and Demographics on Case Decisions," The Labor Law Journal, January, 1994: 49-54.

Kauffman, "The 1-2-3s of Interviewing in Today's Economy," Supervisory Management, November, 1992.

Kauffman, "Expedited Arbitration and Other Innovations in Alternative Dispute Resolution," The Labor Law Journal, May/June 1992.

Kauffman, "Uses of Computers in Human Resource Management," Human Resource Systems Personnel Review, February-March, 1992.

Kauffman, "Expedited Arbitration Revisited," The Arbitration Journal, Fall, 1991.

Kauffman and McKee, "Labor Arbitrator Selection and the Theory of Demand," The Arbitration Journal, March, 1987.

Kauffman, "Motivating the Older Worker," SAM Advanced Management Journal, Spring, 1987.

**PRESENTATIONS:**

Panel member, "Employment Arbitration," Training for Civil Court Arbitrators, South Carolina Bar Association, Columbia, SC, August 17, 1999.

Panel member, "Women in ADR," American Arbitration Association's Neutrals' Retreat 1998, Orlando, FL, October 10, 1998

"Types of Mediation," Southern Industrial Relations Human Resource Conference, Lexington, KY, October 24, 1997

"Latest Developments in Arbitration Practice," American Bar Association, Dispute Resolution Section, Charlotte, May 3, 1996.

"Arbitration, an Alternative to Court," Women and the Law, WNC Women's Conference, Asheville, March 30, 1996.

"Co-existing with Unions," N.C. Chapter of International Personnel Management Association, Asheville, September 11, 1995.

Kauffman, Miller, and Ivey, "Affirmative Action and the White Male in America," Southern Academy of Legal Studies in Business, March, 1995, Houston, Texas; Southern Regional Industrial Relations Academic Seminar, Morgantown, WV, October 15, 1994.

Kauffman, Ashbridge, and Floyd, "The Effect of Values and Demographics on Case Decisions," National Academy of Arbitrators, Region 9 (Ohio and Kentucky), Cleveland, OH, April 17, 1993; National Academy of Arbitrators, Southeast Region, preconference workshop, Atlanta, GA, February 26, 1993.

Panel member, "The Aging Labor Force: Curriculum Issues and Linkages with Private Sector Training," Human Resource Management portion, Association for Gerontology in Higher Education, Louisville, KY, March 4, 1993.

"Sexual Harassment" and "ADA" information presented to Southeast Regional managers of Porta-medica, December 14, 1992.

**PROFESSIONAL SERVICE:**

National Academy of Arbitrators - Chair, History Committee, May 2005 - present; Fall Education Conference (Savannah, GA), member of host committee, October 2005; Southeast Regional meeting (Orlando, FL), Program Chair, February 2006.

South Carolina Labor-Management Conference, Board Member 2004 -

South Carolina Council for Conflict Resolution, Board Member, 2002 - 2003

Midlands Mediation Network, Columbia, SC; vice-chair 2001- 2003

American Bar Association, Dispute Resolution Section - edit case abstracts for on-line publication, 1998.

Asheville (NC) Civil Service Board, 1997-99. Board member, assisting with evaluating employment and grievance processes and helping to develop integrated systems. Appointed by City Council.

The Mediation Center (Asheville, NC) Board member, 1995-99; Board President 98-99.

American Arbitration Association, Employment ADR, Selection and Advisory Committee (NC, SC, TN, AL, GA), 1996-97.

Southern Industrial Relations-Human Resource Conference, Host, Program Chair, and Proceedings editor; October 3-5, 1996. Conference draws 15 states and the District of Columbia and 30+ colleges and universities.

Elected Faculty Conciliator by Student Government Association 1995-6 and 1998-99 (alternate for 1997-98). Co-Chair of the UNCA Mediation Center Committee, 1996-99.

South Atlantic Regional Industrial Relations Research Association: President, 1994, 1995 (Increased role of the chapter from periodic dinner meetings to a full-day conference once or twice a year). Program Coordinator for regional meetings, Fall, 1991, and Fall, 1992; conference coordinator, April, 1995.

Track Chair, Academy of Management, Southwest Region, for March, 1992. Discussant, Southern Academy of Management, November, 1993 (Conflict resolution); November, 1992 (Compensation).

Reviewer: Academy of Management Review, Academy of Management (both HR and Conflict Resolutions divisions), Southern Management Association, Eastern Academy of Management, Wiley Publishing, West Publishing, HRM Journal, Labor Studies Journal, McGraw Hill